



UNITED STATES PATENT AND TRADEMARK OFFICE

Commissioner for Patents
United States Patent and Trademark Office
P.O. Box 1450
Alexandria, VA 22313-1450
www.uspto.gov

MATTINGLY, STANGER, MALUR & BRUNDIDGE, P.C.
1800 DIAGONAL ROAD
SUITE 370
ALEXANDRIA, VA 22314

MAILED

APR 19 2005

Technology Center 2100

In re Application of: TSUCHIDA, et al.
Application No. 09/665,448
Filed: September 19, 2000
For: METHOD AND SYSTEM OF
DATABASE DIVISIONAL MANAGEMENT
FOR PARALLEL DATABASE SYSTEM

DECISION ON PETITION TO
WITHDRAW HOLDING OF
ABANDONMENT
UNDER 37 CFR §1.181

This is a decision on the petition, filed February 18, 2005, requesting the Withdrawal of the Holding of Abandonment of the above-identified application, which has been treated as a petition under 37 CFR §1.181. This application was held abandoned for failure to file a timely response to the Office Action mailed on January 25, 2002. A Notice of Abandonment was mailed September 24, 2002.

The petition is **GRANTED**.

In support of the petition, Petitioner provides a statement that Applicant had not received both of the above-mentioned Office Action and the Notice of Abandonment. Petitioner indicated that the reason for non-receipt of the documents was that the documents were erroneously mailed to a wrong correspondence address. Petitioner further asserted that the correct address was identified in previously submitted papers to be associated with Customer Number 020457, and this Customer Number 020457 does not correspond, nor being anyway related to the [recipient] address shown on each of the above described documents.

Upon inspecting records on file for the application, it is determined that a typographic error was made at the time of receiving the filed application at the Patent Office. The Customer Number, as recorded by the Patent Office at the filing date of September 19, 2000, was incorrectly entered as "02047". The correct Customer Number should have been "020457". Due to this oversight, subsequent outgoing correspondences from the office have been erroneously mailed to the wrong

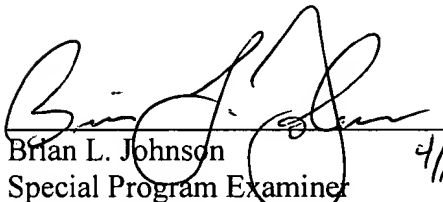
correspondence address rather than the address associated with the correctly designated Customer Number. Due to the above mistake, both the Office Action mailed January 25, 2002 and the Notice of Abandonment mailed September 24, 2002, were sent to the incorrect address. Therefore, it is deemed that Applicants alleged failure to timely file a proper reply to the January 25, 2002 Office Action was a direct result of the erroneous mailing by the U.S. Patent and Trademark Office.

However, in order to minimize future errors similar to the above situation, Petitioner should ensure that a Customer Number included in future submissions of any document to not exceed **five** digits. The error as occurred in this case may have been caused by Applicant's incorrect submission of the Customer Number containing six digits; see original Utility Patent Transmittal filed on September 19, 2000.

Accordingly, the petition is **GRANTED**. The Notice of Abandonment is **VACATED**.

Note, the heading of the Petition erroneously refers to the Patent Rule under 37 CFR § 1.131. In the future, the correct rule to petition under is 37 CFR § 1.181.

The application file is being forwarded to the technical support staff to **WITHDRAW** the holding of abandonment, and subsequently to re-date and re-mail the Office Action mailed in January 25, 2002.


Brian L. Johnson
Special Program Examiner
Technology Center 2100
Computer Architecture, Software and Information Security
571-272-3595
4/18/05

SDL: 04/15/05